



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

JUL 25 2013

REPLY TO THE ATTENTION OF:

WN-16J

Mrs. Vickie Askins  
6335 Solether Road  
Cygnet, Ohio 43413

Re: Freedom of Information Act Request  
EPA-R5-2013-007790

Dear Mrs. Askins:

This is in response to your June 24, 2013, electronic mail message requesting copies of all communications between the Ohio Department of Agriculture and Region 5 employees since your June 2012 request.

The U.S. Environmental Protection Agency records show that your June 2012 request was dated June 11, 2012 and identified as 05-FOI-01000-12, therefore, this response reflects EPA, Region 5, Water Division and Office of Regional Counsel search of records since June 12, 2012. On July 16, 2013 by electronic mail, EPA notified you that any additional search of records for responsive documents would require you to provide a higher fee commitment. EPA also asked if you would like a copy of Ohio House Bill 59 which is an attachment to a responsive record but would require you to provide a higher fee commitment. By reply electronic mail on July 16, 2013 you stated that you had already accessed House Bill 59 and that you would not be providing a higher fee commitment.

Responsive records from the Water Division and Office of Regional Counsel have been uploaded into FOIA online and a link to those documents will be provided to you by the FOIA office. Enclosure A is an itemized list of the responsive records.

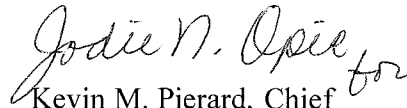
Under FOIA, a cost may be charged for reproducing documents and/or search time. EPA will send a bill of collection for these costs under separate cover. EPA appreciates your prompt payment of these costs.

You may appeal this response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, D.C. 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, email: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, D.C. 20004. Your appeal must be made in writing and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the request number EPA-R5-2013-007790. For quickest

possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions, about this matter please contact Julianne Socha at 312-886-4436.

Sincerely,

  
Kevin M. Pierard, Chief  
NPDES Programs Branch

Enclosure

Record Number	Date	Type of Record	Subject	From	To	Number of Pages
1	6/13/2012 7:55am	electronic mail messages	RE: Criminal Statute changes drafted by our Legislative Services	Aaron Farmer, Ohio AG	Julianne Socha, EPA; Kevin Elder, ODA; Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Michael Rodgers, ODA; Michael Berman, EPA; James Morgan, EPA	2
2	6/19/2012 8:48am	electronic mail message w/attachment: Sec_46_03_790_Criminal_pen.doc	Alaska Statute	Michael Berman, EPA	Aaron Farmer, Ohio AG; Kevin Elder, ODA; Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Michael Rodgers, ODA	4
3	7/18/2012 9:47am	electronic mail messages	RE: Status Call -- Ohio statutory changes to address criminal enforcement authority concerns raised by EPA	Michael Rodgers, ODA	Julianne Socha, EPA; Aaron Farmer, Ohio AG; Kevin Elder, ODA; James Morgan, EPA; Kelly McCloud, Ohio AG	2
4	7/25/2012 9:11pm	electronic mail messages	RE: Status Call -- Ohio statutory changes to address criminal enforcement authority concerns raised by EPA	Julianne Socha, EPA	Kevin Elder, ODA	2
5	8/2/2012 9:06am	electronic mail message	Office of General Counsel Letter regarding 40 CFR 123.27	Aaron Farmer, Ohio AG	Julianne Socha, EPA; James Morgan, EPA; Michael Berman, EPA w/cc: Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Kevin Elder, ODA; Michael Rodgers, ODA	2
6	8/2/2012 9:24am	electronic mail message	Re: Office of General Counsel Letter regarding 40 CFR 123.27	Michael Berman, EPA	Aaron Farmer, Ohio AG w/cc: James Morgan, EPA; Julianne Socha, EPA	1
7	8/2/2012 9:25am	electronic mail messages	RE: Office of General Counsel Letter regarding 40 CFR 123.27	Aaron Farmer, Ohio AG	Julianne Socha, EPA; James Morgan, EPA; Michael Berman, EPA w/cc: Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Kevin Elder, ODA; Michael Rodgers, ODA	2

Record Number	Date	Type of Record	Subject	From	To	Number of Pages
8	8/3/2012 4:11pm	electronic mail messages	Ohio Transfer Call - Message about 123.27(a)(3)(ii) Note	Michael Berman, EPA	Aaron Farmer, Ohio AG; Kevin Elder, ODA; James Morgan, EPA; Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Michael Rodgers, ODA w/cc: Julianne Socha, EPA	1
9	8/7/2012 11:12am	electronic mail message w/attachment: CWA Negligence Standard.pdf	CWA Negligence Standard	James Morgan, EPA	Michael Berman, EPA w/cc: Aaron Farmer, Ohio AG; Kevin Elder, ODA; Julianne Socha, EPA; Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Michael Rodgers, ODA	2
10	8/7/2012 3:47pm	electronic mail messages	RE: CWA Negligence Standard	Aaron Farmer, Ohio AG	James Morgan, EPA; Michael Berman, EPA w/cc: Kevin Elder, ODA; Julianne Socha, EPA; Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Michael Rodgers, ODA	2
11	11/6/2012 11:06am	electronic mail messages w/attachment: R.C. 903.30 and 903.99 - LSC Oct 2012.pdf	RE: Ohio NPDES Transfer	Kevin Elder, ODA	Aaron Farmer, Ohio AG; Julianne Socha, EPA w/cc: James Morgan, EPA; Kelly McCloud, Ohio AG; Kristina Tonn, Ohio AG; Michael Berman, EPA; Michael Rodgers, ODA	7
12	1/8/2013 8:00am	electronic mail messages	RE: Ohio NPDES Transfer	Julianne Socha, EPA	Kevin Elder, ODA	5
13	2/25/2013 9:44am	electronic mail message w/o attachment: Budget as Introduced.pdf	Criminal Statute changes legislation	Kevin Elder, ODA	Julianne Socha, EPA w/cc: Kelly McCloud, Ohio AG; Aaron Farmer, Ohio AG; Michael Rodgers, ODA	1
14	2/26/2013 9:31am	electronic mail messages	RE: Criminal Statute changes legislation	Julianne Socha, EPA	Kevin Elder, ODA	1

Record Number	Date	Type of Record	Subject	From	To	Number of Pages
15	4/3/2013 2:12pm	electronic mail message w/attachment: SKMBT_36313040315040.pdf	State Legislative request on legislation	Kevin Elder, ODA	Julianne Socha, EPA w/cc: Janelle Mead; John Schlichter; Erin Honnold; Julie Phillips; Aaron Farmer, Ohio AG	2
16	4/30/2013 1:10pm	electronic mail messages w/attachment: 2013-04-26 response to KElder.pdf	RE: State Legislative request on legislation	Julianne Socha, EPA	Kevin Elder, ODA w/cc: Janelle Mead; John Schlichter; Erin Honnold; Julie Phillips; Aaron Farmer, Ohio AG; Michael Berman, EPA; James Morgan, EPA	8
17	5/22/2013 3:47pm	electronic mail message		Kevin Elder, ODA	Julianne Socha, EPA	1
18	5/22/2013 3:31pm	electronic mail message	other option	Kevin Elder, ODA	Julianne Socha, EPA	1
19	5/22/2013 3:38pm	electronic mail messages	RE: Ohio criminal enforcement authority for NPDES program	Julianne Socha, EPA	Kevin Elder, ODA w/cc: Michael Berman, EPA; James Morgan, EPA	3
20	5/28/2013 5:15pm	electronic mail messages	RE: Conference call on 903.12	Julianne Socha, EPA	Kevin Elder, ODA	1
21	5/29/2013 10:33am	electronic mail messages	RE: Conference call on 903.12	Julianne Socha, EPA	Kevin Elder, ODA w/cc: Aaron Farmer, Ohio AG; Michael Rodgers, ODA; Michael Berman, EPA; James Morgan, EPA	1
22	5/30/2013 2:34pm	electronic mail message	903 language discussed by Michael Rodgers on today's call	Kevin Elder, ODA	Julianne Socha, EPA; Michael Berman, EPA; James Morgan, EPA w/cc: Aaron Farmer, Ohio AG; Michael Rodgers, ODA	1
23	5/30/2013 6:23pm	electronic mail message w/attachment: Excerpts from 2004 US EPA NPDES Inspection Manual.pdf	Additional Info on Right of Entry	Michael Rodgers, ODA	Kevin Elder, ODA; Julianne Socha, EPA; James Morgan, EPA; Michael Berman, EPA; Janelle Mead; Aaron Farmer, Ohio AG	16

Record Number	Date	Type of Record	Subject	From	To	Number of Pages
24	5/30/2013 6:47pm	electronic mail messages	RE: 903 language discussed by Michael Rodgers on today's call	Julianne Socha, EPA	Kevin Elder, ODA; James Morgan, EPA; Michael Berman, EPA w/cc: Aaron Farmer, Ohio AG; Michael Rodgers, ODA	2
25	6/6/2013 9:33am	electronic mail messages	FW: 903 language discussed by Michael Rodgers on today's call	Kevin Elder, ODA	Michael Berman, EPA	2
26	6/6/2013 9:43am	electronic mail message w/attachment: 20130606093047069.pdf	RE: Response to 903 language discussed by Michael Rodgers	Michael Berman, EPA	Aaron Farmer, Ohio AG; Michael Rodgers, ODA w/cc: Kevin Elder, ODA; James Morgan, EPA; Julianne Socha, EPA; Steven Jann, EPA	5
27	6/12/2013 10:31am	electronic mail messages	RE: 903 statute changes	Kevin Elder, ODA	Julianne Socha, EPA	2